UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK

LINDA M. MULLEN and PATRICK M. MULLEN,

Plaintiffs,

-vs-

Civil Action No. 09-CV-22

BUREAU OF COLLECTION RECOVERY, INC. d/b/a BCR,

Defendant.

## STIPULATION OF DISCONTINUANCE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all parties to the above-entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued on the merits and with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

DATED: August <u>24</u>, 2009

Seth Andrews, Esq.

Law Offices of Kenneth Hiller

6000 North Bailey Avenue, Suite 1A

Amherst, NY 14226

Telephone: (716) 564-3288

Attorney for Plaintiffs

DATED: August <u>4</u>, 2009

Glenn M. Fjermedal, Esq.

Davidson Fink LLP

28 East Main Street, Suite 1700

Rochester, NY 14614

Telephone: (585) 546-6448

Attorney for Defendant